

### REMARKS

Applicants have thoroughly considered the Examiner's remarks in the Final Office action dated February 20, 2008 and have amended the application to more clearly set forth aspects of the invention. This Amendment C amends claims 1, 9, 11, 12, 13, 20, 21 and 22 and cancels claims 2, 4-8, 10, 15, 17-19, and 23-26. No new matter has been added.

Claims 1, 3, 9, 11-14, and 20-22 are thus presented in the application for further examination. Reconsideration of the application as amended and in view of the following remarks is respectfully requested.

#### **Claim Rejections Under 35 U.S.C. § 102(b)**

Claims 12-15, 17-19, and 23-26 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,496,206 to Mernyk et al. (Mernyk). Applicants respectfully disagree. None of the cited references disclose or suggest each and every feature claimed in the rejected claims.

Claim 12 is directed to a method for displaying thumbnail data associated with at least one of a plurality of icons located in a window. As amended, claim 12 highlights features of the present invention described in the specification. For example, the method of claim 12 limits the amount of thumbnail data retrieved and stored in the RAM in the interest of saving system resources. (Application, page 6, lines 16-18). Specifically, amended claim 12 limits the amount of thumbnail data retrieved to be the lesser of a predetermined number of icons and the total number of icons located in a window. *As such, the number of icons for which thumbnail data is pre-cached will less than or equal to the number of icons located in the window.*

To this end, the method of amended claim 12 includes "identifying a predetermined maximum number of icons for which thumbnail data will be pre-cached, said predetermined maximum number of icons being independent of the total number of icons located in the window" and "comparing the total number of icons located in the window to the pre-determined maximum number of icons." The method includes "pre-caching the thumbnail data for a particular number of the plurality of icons located in the window based on said comparing." The "particular number is the pre-determined maximum number when said predetermined maximum number is greater than the total number." The "particular number is the total number when the

predetermined maximum number is less than or equal to said total number." The method includes displaying the pre-cached thumbnail data associated with one of the plurality of icons when an indicator is hovered substantially over said icon."

Mernyk discloses a method of displaying a thumbnail relating to an electronically-stored file in an electronically-stored folder capable of retaining a plurality of files. Mernyk fails to teach or suggest limiting the amount of thumbnail data retrieved to be the lesser of a predetermined number of icons and the total number of icons located in a window. In particular Mernyk teaches that for a particular folder having files therein "[t]humbnail data is derived for each file in the folder . . . and stored in a cache." (Mernyk, col. 2, lines 63-65). Moreover, Mernyk teaches away from the pre-caching limits of present invention by *requiring that the number of files for which data is pre-cached to be greater than or equal to the number of displayed icons*. Specifically, Mernyk teaches that for a particular folder having files therein "[a]t least one icon relating to a file retained in the folder is displayed" but "thumbnail data is derived for each file in the folder . . . and stored in a cache." (Mernyk, col. 3, lines 7-8; col. 2, lines 63-65).

Since Mernyk fails to teach or suggest limiting the number of files for which thumbnail data will be pre-cached, Mernyk fails to teach identifying a predetermined maximum number of icons for which thumbnail data will be pre-cached. Moreover, Mernyk fails to teach comparing the total number of icons located in the window to the pre-determined maximum number of icons and pre-caching the thumbnail data for a particular number icons based on the comparing.

As such, Mernyk fails to disclose or suggest each and every limitation of amended claim 12. Applicants submit that the rejection of amended claim 12 should be withdrawn. Amended claim 21 includes limitations similar to those included in amended claim 12. As such, Applicants submit that Mernyk fails to disclose or suggest each and every limitation of amended claim 21. Amended claim 21 is allowable for at least the same reasons that amended claim 12 is allowable. The claims that depend from amended independent claims 12 and 21 are allowable for at least the reasons that the independent claims from which they depend are allowable.

#### **Claim Rejections Under 35 U.S.C. § 103(a)**

Claims 1-11, 20 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,721,853 to Smith., in view of U.S Patent No. 6,915,489 to Gargi, and

further in view of U.S. Patent No. 6,496,206 to Mernyk et al. Applicants respectfully disagree. None of the cited references, alone or in combination, disclose or suggest each and every feature claimed in the rejected claims.

Claim 1 is directed to a method for providing thumbnail data associated with icons located in a viewable interface. As amended, claim 1 highlights features of the present invention described in the specification, such as limiting the amount of thumbnail data retrieved and stored in the RAM in the interest of saving system resources. (Application, page 6, lines 16-18). Specifically, amended claim 12 highlights the feature of limiting the amount of thumbnail data that is pre-cached to a pre-determined number of icons, based on an icon that is hovered over (e.g., using a cursor). (Application, page 6, lines 27-29). ***As such, the number of icons for which thumbnail data is pre-cached will less than or equal to the number of icons located in the window.***

To this end, the method of claim includes "sensing the presence of an indicator in a vicinity of an icon having associated thumbnail data representative of content of an associated object." The "icon and a plurality of additional icons are located within a viewable interface." Each of the additional icons have associated thumbnail data representative of content of an associated object. The method includes "rendering a superimposed view of at least a portion of the thumbnail data, the superimposed view rendered in the vicinity of the icon." The method includes "identifying a predetermined number of the plurality of additional icons based on the locations within the window of the plurality of additional icons relative to said icon" and "pre-caching thumbnail data associated with the identified additional icons responsive to said identifying."

As noted in the December 6, 2007 Amendment, Smith and Gargi are both entirely silent on the caching of thumbnail data. Moreover, even if Smith and Gargi disclosed pre-caching of thumbnail data, nothing in Smith or Gargi teaches or suggests the additional feature of pre-caching thumbnail data based on a pre-determined number of icons and a location of an indicated icon. Mernyk fails to cure the deficiencies of Smith and Gargi. As discussed above, Mernyk fails to teach or suggest limiting the number of icons in the window for which thumbnail data is pre-cached. In fact, Mernyk teaches away from the pre-caching limits of present invention by ***requiring that the number of files for which data is pre-cached to be greater than or equal to the number of displayed icons.*** Specifically, Mernyk teaches that for a particular folder having

files therein "[a]tleast one icon relating to a file retained in the folder is displayed" but "thumbnail data is derived for each file in the folder . . . and stored in a cache." (Mernyk, col. 3, lines 7-8; col. 2, lines 63-65).

As such, Smith, Gargi, and Mernyk, whether read alone or in combination, fail to disclose or suggest each and every limitation of amended claim 1. Applicants submit that the rejection of amended claim 1 should be withdrawn. Amended claim 20 includes limitations similar to those included in amended claim 1. As such, Applicants submit that Smith, Gargi, and Mernyk, whether read alone or in combination, fail to disclose or suggest each and every limitation of amended claim 20. Amended claim 20 is allowable for at least the same reasons that amended claim 1 is allowable. The claims that depend from amended independent claims 1 and 20 are allowable for at least the reasons that the independent claims from which they depend are allowable.

**Conclusion**

Applicants submit that the claims are allowable for at least the reasons set forth herein. Applicants thus respectfully submit that claims 1, 3, 9, 11-14, and 20-22 as presented are in condition for allowance and respectfully request favorable reconsideration of this application.

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

**Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.**

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

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